

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

<p>JANE DOE</p> <p>- against-</p> <p>OLGA PLETIN and VYACHESLAV SULEYMANOV</p>	<p>Plaintiff(s),</p> <p>Defendant(s).</p>	<p>Civil Action No. 18-Civ-06974 (JMA)(AKT)</p> <p><b>ANSWER TO FIRST <u>AMENDED COMPLAINT</u></b></p>
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Defendant Olga Pletin (Ms. Pletin), by her attorneys, Shpigel & Associates, P.C., as and for an Answer to the First Amended Complaint (the “FAC”), respectfully states as follows:

**PRELIMINARY STATEMENT**

1. Ms. Pletin avers that Paragraph 1 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
2. Ms. Pletin avers that Paragraph 2 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
3. Ms. Pletin denies the allegations contained in paragraph 3 of the FAC.
4. Ms. Pletin denies the allegations contained in paragraph 4 of the FAC.
5. Ms. Pletin denies the allegations contained in paragraph 5 of the FAC.
6. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 6 of the FAC.
7. Ms. Pletin avers that Paragraph 7 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

**JURISDICTION AND VENUE**

8. Ms. Pletin avers that Paragraph 8 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
9. Ms. Pletin avers that Paragraph 9 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
10. Ms. Pletin avers that Paragraph 10 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
11. Ms. Pletin avers that Paragraph 11 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

**PARTIES**

12. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 12 of the FAC.
13. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 13 of the FAC.
14. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 14 of the FAC.
15. Ms. Pletin avers that Paragraph 15 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
16. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 16 of the FAC.
17. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 17 of the FAC.

18. Ms. Pletin denies the allegations contained in paragraph 18 of the FAC.
19. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 19 of the FAC.
20. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 20 of the FAC.
21. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 21 of the FAC.
22. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 22 of the FAC.
23. Ms. Pletin denies the allegations contained in paragraph 23 of the FAC.
24. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 24 of the FAC.
25. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 25 of the FAC.
26. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 26 of the FAC.
27. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 27 of the FAC.
28. Ms. Pletin denies the allegations contained in paragraph 28 of the FAC.
29. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 29 of the FAC.

30. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 30 of the FAC.
31. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 31 of the FAC.
32. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 32 of the FAC.
33. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 33 of the FAC.
34. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 34 of the FAC.
35. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 35 of the FAC.
36. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 36 of the FAC.
37. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 37 of the FAC.
38. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 38 of the FAC.
39. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 39 of the FAC.
40. Ms. Pletin denies the allegations contained in paragraph 40 of the FAC.
41. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 41 of the FAC.

42. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 42 of the FAC.
43. Ms. Pletin denies the allegations contained in paragraph 43 of the FAC.
44. Ms. Pletin denies the allegations contained in paragraph 44 of the FAC.
45. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 45 of the FAC.
46. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 46 of the FAC.
47. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 47 of the FAC.
48. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 48 of the FAC.
49. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 49 of the FAC.
50. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 50 of the FAC.
51. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 51 of the FAC.

**AS AND FOR AN ANSWER TO THE FIRST CLAIM FOR RELIEF**

52. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-51.

53. Ms. Pletin avers that Paragraph 53 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

54. Ms. Pletin avers that Paragraph 54 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

55. Ms. Pletin avers that Paragraph 55 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

56. Ms. Pletin denies the allegations contained in paragraph 56 of the FAC.

57. Ms. Pletin denies the allegations contained in paragraph 57 of the FAC.

58. Ms. Pletin denies the allegations contained in paragraph 58 of the FAC.

59. Ms. Pletin avers that Paragraph 59 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

60. Ms. Pletin denies the allegations contained in paragraph 60 of the FAC.

61. Ms. Pletin denies the allegations contained in paragraph 61 of the FAC.

**AS AND FOR AN ANSWER TO THE SECOND CLAIM FOR RELIEF**

62. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-61.

63. Ms. Pletin avers that Paragraph 63 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

64. Ms. Pletin denies the allegations contained in paragraph 64 of the FAC.

65. Ms. Pletin denies the allegations contained in paragraph 65 of the FAC.

66. Ms. Pletin avers that Paragraph 66 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

67. Ms. Pletin avers that Paragraph 67 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

68. Ms. Pletin avers that Paragraph 68 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

69. Ms. Pletin denies the allegations contained in paragraph 69 of the FAC.

70. Ms. Pletin denies the allegations contained in paragraph 70 of the FAC.

71. Ms. Pletin denies the allegations contained in paragraph 71 of the FAC.

**AS AND FOR AN ANSWER TO THE THIRD CLAIM FOR RELIEF**

72. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-71.

73. Ms. Pletin avers that Paragraph 73 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

74. Ms. Pletin avers that Paragraph 74 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

75. Ms. Pletin avers that Paragraph 75 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

76. Ms. Pletin avers that Paragraph 76 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

77. Ms. Pletin denies the allegations contained in paragraph 77 of the FAC.

78. Ms. Pletin denies the allegations contained in paragraph 78 of the FAC.

**AS AND FOR AN ANSWER TO THE FOURTH CLAIM FOR RELIEF**

79. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-78.
80. Ms. Pletin avers that Paragraph 80 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
81. Ms. Pletin avers that Paragraph 81 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
82. Ms. Pletin avers that Paragraph 82 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
83. Ms. Pletin denies the allegations contained in paragraph 83 of the FAC.
84. Ms. Pletin denies the allegations contained in paragraph 84 of the FAC.

**AS AND FOR AN ANSWER TO THE FIFTH CLAIM FOR RELIEF**

85. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-84.
86. Ms. Pletin avers that Paragraph 86 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
87. Ms. Pletin avers that Paragraph 87 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
88. Ms. Pletin denies the allegations contained in paragraph 88 of the FAC.
89. Ms. Pletin denies the allegations contained in paragraph 89 of the FAC.

**AS AND FOR AN ANSWER TO THE SIXTH CLAIM FOR RELIEF**

90. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-89.
91. Ms. Pletin avers that Paragraph 91 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
92. Ms. Pletin avers that Paragraph 92 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
93. Ms. Pletin avers that Paragraph 93 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
94. Ms. Pletin denies the allegations contained in paragraph 94 of the FAC.
95. Ms. Pletin denies the allegations contained in paragraph 95 of the FAC.

**AS AND FOR AN ANSWER TO THE SEVENTH CLAIM FOR RELIEF**

96. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-95.
97. Ms. Pletin avers that Paragraph 97 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
98. Ms. Pletin avers that Paragraph 98 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
99. Ms. Pletin avers that Paragraph 99 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.
100. Ms. Pletin avers that Paragraph 100 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

101. Ms. Pletin avers that Paragraph 101 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

102. Ms. Pletin avers that Paragraph 102 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

103. Ms. Pletin avers that Paragraph 103 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

104. Ms. Pletin denies the allegations contained in paragraph 104 of the FAC.

**AS AND FOR AN ANSWER TO THE EIGHTH CLAIM FOR RELIEF**

105. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-104.

106. Ms. Pletin avers that Paragraph 106 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

107. Ms. Pletin denies the allegations contained in paragraph 107 of the FAC.

108. Ms. Pletin denies the allegations contained in paragraph 108 of the FAC.

**AS AND FOR AN ANSWER TO THE NINTH CLAIM FOR RELIEF**

109. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-108.

110. Ms. Pletin avers that Paragraph 110 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

111. Ms. Pletin denies the allegations contained in paragraph 111 of the FAC.

112. Ms. Pletin denies the allegations contained in paragraph 112 of the FAC.

**AS AND FOR AN ANSWER TO THE TENTH CLAIM FOR RELIEF**

113. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-112.

114. Ms. Pletin avers that Paragraph 114 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

115. Ms. Pletin avers that Paragraph 115 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

116. Ms. Pletin denies the allegations contained in paragraph 116 of the FAC.

117. Ms. Pletin denies the allegations contained in paragraph 117 of the FAC.

**AS AND FOR AN ANSWER TO THE ELEVENTH CLAIM FOR RELIEF**

118. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-117.

119. Ms. Pletin avers that Paragraph 119 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

120. Ms. Pletin avers that Paragraph 120 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

121. Ms. Pletin denies the allegations contained in paragraph 121 of the FAC.

122. Ms. Pletin denies the allegations contained in paragraph 122 of the FAC.

123. Ms. Pletin avers that Paragraph 123 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

**AS AND FOR AN ANSWER TO THE TWELFTH CLAIM FOR RELIEF**

124. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-123.

125. Ms. Pletin avers that Paragraph 125 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

126. Ms. Pletin denies the allegations contained in paragraph 126 of the FAC.

127. Ms. Pletin denies the allegations contained in paragraph 127 of the FAC.

128. Ms. Pletin denies the allegations contained in paragraph 128 of the FAC.

**AS AND FOR AN ANSWER TO THE THIRTEENTH CLAIM FOR RELIEF**

129. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-128.

130. Ms. Pletin avers that Paragraph 130 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

131. Ms. Pletin denies the allegations contained in paragraph 131 of the FAC.

132. Ms. Pletin denies the allegations contained in paragraph 132 of the FAC.

133. Ms. Pletin denies the allegations contained in paragraph 133 of the FAC.

**AS AND FOR AN ANSWER TO THE FOURTEENTH CLAIM FOR RELIEF**

134. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-133.

135. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 135 of the FAC.

136. Ms. Pletin denies the allegations contained in paragraph 136 of the FAC.

137. Ms. Pletin denies the allegations contained in paragraph 137 of the FAC.

138. Ms. Pletin denies the allegations contained in paragraph 138 of the FAC.

139. Ms. Pletin denies the allegations contained in paragraph 139 of the FAC.

140. Ms. Pletin denies the allegations contained in paragraph 140 of the FAC.

**AS AND FOR AN ANSWER TO THE FIFTEENTH CLAIM FOR RELIEF**

141. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-140.

142. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 142 of the FAC.

143. Ms. Pletin denies the allegations contained in paragraph 143 of the FAC.

144. Ms. Pletin denies the allegations contained in paragraph 144 of the FAC.

145. Ms. Pletin denies the allegations contained in paragraph 145 of the FAC.

146. Ms. Pletin denies the allegations contained in paragraph 146 of the FAC.

**AS AND FOR AN ANSWER TO THE SIXTEENTH CLAIM FOR RELIEF**

147. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-146.

148. Ms. Pletin denies the allegations contained in paragraph 148 of the FAC.

149. Ms. Pletin denies the allegations contained in paragraph 149 of the FAC.

150. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 150 of the FAC.

151. Ms. Pletin denies the allegations contained in paragraph 151 of the FAC.
152. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 152 of the FAC.
153. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 153 of the FAC.
154. Ms. Pletin denies the allegations contained in paragraph 154 of the FAC.
155. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 155 of the FAC.
156. Ms. Pletin denies the allegations contained in paragraph 156 of the FAC.

**AS AND FOR AN ANSWER TO THE SEVENTEENTH CLAIM FOR RELIEF**

157. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-156.
158. Ms. Pletin denies the allegations contained in paragraph 158 of the FAC.
159. Ms. Pletin denies the allegations contained in paragraph 159 of the FAC.
160. Ms. Pletin denies the allegations contained in paragraph 160 of the FAC.
161. Ms. Pletin denies the allegations contained in paragraph 162 of the FAC.

**AS AND FOR AN ANSWER TO THE EIGHTEENTH CLAIM FOR RELIEF**

162. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-161.
163. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 163 of the FAC.

164. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 164 of the FAC.

165. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 165 of the FAC.

166. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 166 of the FAC.

**AS AND FOR AN ANSWER TO THE NINETEENTH CLAIM FOR RELIEF**

167. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-166.

168. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 168 of the FAC.

169. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 169 of the FAC.

170. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 170 of the FAC.

171. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 171 of the FAC.

172. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 172 of the FAC.

173. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 173 of the FAC.

**AS AND FOR AN ANSWER TO THE TWENTIETH CLAIM FOR RELIEF**

174. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-173.

175. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 175 of the FAC.

176. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 176 of the FAC.

177. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 177 of the FAC.

178. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 178 of the FAC.

179. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 179 of the FAC.

180. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 180 of the FAC.

181. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 181 of the FAC.

182. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 182 of the FAC.

**AS AND FOR AN ANSWER TO THE TWENTY-FIRST CLAIM FOR RELIEF**

183. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-182.

184. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 184 of the FAC.

185. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 185 of the FAC.

186. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 186 of the FAC.

187. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 187 of the FAC.

188. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 188 of the FAC.

189. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 189 of the FAC.

**AS AND FOR AN ANSWER TO THE TWENTY-SECOND CLAIM FOR RELIEF**

190. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-189.

191. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 191 of the FAC.

192. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 192 of the FAC.

193. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 193 of the FAC.

194. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 194 of the FAC.

195. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 195 of the FAC.

196. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 196 of the FAC.

197. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 197 of the FAC.

198. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 198 of the FAC.

199. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 199 of the FAC.

**AS AND FOR AN ANSWER TO THE TWENTY-THIRD CLAIM FOR RELIEF**

200. Ms. Pletin repeats, reiterates and realleges each and every allegation contained in the paragraphs numbered 1-199.

201. Ms. Pletin avers that Paragraph 201 seeks a legal conclusion to which no response is required, to the extent that a response is required, Ms. Pletin denies the allegations.

202. Ms. Pletin denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 202 of the FAC.

203. Ms. Pletin denies the allegations contained in paragraph 203 of the FAC.

204. Ms. Pletin denies the allegations contained in paragraph 204 of the FAC.

**AFFIRMATIVE AND OTHER DEFENSES**

Ms. Pletin asserts the following defenses and affirmative defenses, as the latter are defined in Rule 8(c) of the Federal Rules of Civil Procedure, without assuming any burden of proof that otherwise does not exist as a matter of law.

205. The FAC and each and every purported cause of action contained therein, fails to state facts sufficient to constitute a cause of action.

206. The FAC, and each and every purported cause of action contained therein, is barred, in whole or in part, by the applicable statutes of limitations.

207. Every portion of Plaintiff's FLSA claims arising more than two years prior to the date upon which the FAC was filed is barred by the limitations period set forth in Section 6 of the Portal-to-Portal Act, 29 U.S.C Section 255.

208. Plaintiff's claims are barred as Plaintiff is exempt from the overtime provision of Section 13 of the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. Section 213(a)(1) and (15).

209. Ms. Pletin did not knowingly condone, ratify or consent to the conduct of any employee or agent as asserted in the FAC, and therefore Ms. Pletin is not subject to liability or vicarious liability.

210. Ms. Pletin did not have any notice, active, or constructive, of the conduct of any employee or agent asserted in the FAC, and therefore Ms. Pletin is not subject to liability or vicarious liability.

211. During all times relevant to the allegations contained in the FAC, Ms. Pletin acted in full conformity with all applicable statutes and common laws.

212. Ms. Pletin is not a proper defendant in this action as she was not Plaintiffs' "employer" within the scope of the New York State Labor Law.

213. Ms. Pletin did not violate any duty owed to Plaintiff, if any.

214. At all times, Ms. Pletin made complete and timely payments of all wages due to Plaintiff.

215. Plaintiff was paid for all overtime she was entitled to, if any.

216. Any claim for additional compensation by Plaintiff must be reduced by compensation already paid to Plaintiff for periods not compensable under the New York State Labor Law.

217. Plaintiff's claims are barred, in whole or in part, because actions taken in connection with Plaintiff's compensation were done in good faith, in conformity with and reliance upon written administrative regulations, orders, rulings, approvals, interpretations, and written and unwritten administrative practices or enforcement policies of the Administrator of the Wage and Hour Division of the United States Department of Labor.

218. Plaintiffs claims are barred, in whole or in part, because any acts or omissions giving rise to this action were done in good faith, and with reasonable grounds for believing that the actions or omissions were not a violation of the FLSA or the New York State Labor Law.

219. Ms. Pletin, at all times, acted with a lack of willfulness or intent to violate the FLSA or any other statutes cited in the FAC.

220. If Plaintiff succeeds in establishing any violation under the New York State Labor Law, and to the extent any sums are found due and owing to Plaintiff, Ms. Pletin is entitled to a set-off against said sum to the extent paid, tendered, waived, compromised, and/or released prior to the adjudication herein, including but not limited to those amounts paid, tendered, waived, compromised, and/or released through any other proceeding, either formal or informal, or to the extent any additional compensation was paid to Plaintiff over and above her wages.

221. The FAC, and each and every purported cause of action contained therein, is barred, in whole or in part, to the extent they have been resolved by the New York State Division of Human Rights and are subject res judicata and/or collateral estoppel.

222. Plaintiffs claims are barred to the extent Plaintiff failed, refused, and/or neglected to mitigate or avoid the damages complained of in the FAC, if any.

223. The FAC is barred, in whole or in part, because Ms. Pletin had in place corrective or preventative measures to remedy retaliation in the workplace and Plaintiff failed to utilize such measures.

224. Plaintiff cannot demonstrate that there was a causal connection between any protected activity and an adverse employment action.

225. Plaintiff's claims for injuries are barred by the exclusive jurisdiction provisions of, and the exclusive remedies available under, the New York Worker's Compensation Act.

226. Any damages recovered on the FAC are to be reduced by any benefits from collateral sources.

227. The FAC is barred, in whole or in part, by Plaintiff's failure to satisfy, exhaust, and/or comply with the necessary statutory and/or administrative prerequisites prior to the commencement of this action.

228. If Ms. Pletin took any adverse action towards Plaintiff, such actions were for legitimate non-discriminatory reasons.

229. In the event that Plaintiff can demonstrate that an impermissible factor was a motivating factor in the employment decision that she challenges (which Ms. Pletin denies), she is not entitled to money damages, reinstatement or other relief because Ms. Pletin would have taken the same actions in the absence of any impermissible factor, and accordingly are not liable to Plaintiff.

230. The Plaintiff's claims are barred by Section 11 of the Portal-to-Portal Act, because the acts or omissions complained of were done in good faith and with reasonable grounds that the acts or omissions were not in violation of the FLSA.

231. Ms. Pletin asserts that she is not liable under the FLSA for any alleged failure to pay any compensation for preliminary or postliminary activities in accordance with Section 4 of the Portal-to-Portal Act, 29 U.S.C Section 254.

232. Ms. Pletin asserts that some or all of Plaintiff's claims are barred by res judicata, waiver, release, estoppel or acquiescence.

233. Plaintiffs claims for relief are barred, in whole or in part, by virtue of Plaintiffs misconduct, including any evidence of misconduct which was discovered after Plaintiffs termination.

234. The FAC, and each and every purported cause of action contained therein, is barred, in whole or in part, by the doctrines of waiver and estoppel.

235. The FAC, and each and every purported cause of action contained therein, is barred, in whole or in part, by the doctrine of unclean hands.

236. The FAC and each and every purported cause of action contained therein, is barred to the extent Plaintiff seeks equitable relief because she has an adequate remedy at law.

237. The FAC fails to state a claim upon which prejudgment interest may be granted.

238. Plaintiff's damages, if any, are the result of her own acts or omissions, and/or the acts or omissions of third parties over whom Ms. Pletin has no control.

239. The FAC fails to state a claim for compensatory or punitive damages, injunctive relief, costs, interest or for attorneys' fees, nor is Plaintiff entitled to relief under governing law and/or the facts of this case.

240. Ms. Pletin asserts good faith as a defense to any claim by Plaintiff for liquidated damages because Ms. Pletin, at all times, acted in good faith to comply with the New York State Labor Law, and with reasonable grounds to believe that her actions did not violate the statutes cited in the FAC.

241. To the extent that Plaintiff is awarded any damages in connection with this action, Ms . Pletin is entitled to indemnification and/or contribution from co-defendant Suleymanov,

242. In addition to the foregoing defenses, Ms. Pletin reserves the right to amend her Answer to the FAC to raise any and all additional affirmative and other defenses that may become evident during discovery and during any other proceeding in this action or pursue any available counterclaims against Plaintiff or cross-claims against Suleymanov as those claims become known during this litigation.

**WHEREFORE**, Ms. Pletin denies that Plaintiff is entitled to any of the relief claimed in the FAC, and respectfully requests that this Court dismiss the action with prejudice, award Ms. Pletin her costs and reasonable attorney's fees herein and further relief as this Court may deem just and proper.

Dated: New York, New York  
May 21st, 2019

Respectfully Submitted,

*/s/ Irina Shpigel*  
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